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American Planning Association
Massachusetts Chapter

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A Publication of the Massachusetts Chapter of the American Planning Association

Summer 2018

Lessons Learned from Cambridge's Retail Strategic Plan

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Massachusetts Planning is published quarterly by the Massachusetts Chapter of the American Planning Association (APA-MA). © 2018 APA-MA. Contributions are encouraged. Please send submissions, letters, questions, and high praise to editor Peter Lowitt, AICP, at peterlowitt@devensec.com. Advertising inquiries: jmcommunications@comcast.net.

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On the cover: A summer afternoon in Cambridge, MA (Gretchen Ertl Photography)



From the President

Greetings fellow Planners!

I hope you had a great summer. After two months on maternity leave I am back in action and excited about what's in store this fall!

■ **National Community Planning Month** — October will be here before you know it! How are you going to celebrate National Community Planning Month? Send us your ideas and be the spotlight community in the Fall/Winter APA-MA magazine! Send your ideas to: communications@apa-ma.org.

■ **APA Policy Conference** — APA-MA is gearing up to represent the Chapter at the APA Policy Conference September 22-25th in Washington D.C. Steve Sadwick, Kristina Johnson and I will be attending the Delegates Assembly to help develop and pass an Equity Policy and new Housing Policy. Stay tuned for more on this in our bi-weekly updates.

■ **Get Involved!** We have several opportunities to get more involved with the Chapter: become our next CPTC liaison, join the Communications Committee, or participate in an ad hoc National Community Planning Month Committee to coordinate activities during the month of October. Email us for more information on any of these opportunities at: communications@apa-ma.org.

If you have any ideas or questions, please feel free to contact me anytime at aclevelandaicp@gmail.com. Looking forward to seeing you all at SNEAPA in Hartford, October 18-19th!

Best,

Angie

Angela Cleveland, AICP



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Zoning Reform

Dear Planning Friends and Colleagues:

As you are probably aware, the Massachusetts legislative session came to a close in the early morning on August 1st with no action on zoning reform. It is important to note that Governor Baker's Housing Choice Bill did not advance out of the House Ways and Means Committee to the House floor. Indeed, this is very anticlimactic and disappointing to say the least, as a lot of blood, sweat, and tears went into the collective zoning reform efforts of APA-MA and MAPD during this legislative session. Despite commendable work of legislators in the House and Senate, Governor Baker, and our terrific coalition partners, the Massachusetts Smart Growth Alliance and the Metropolitan Area Planning Council, it came down to the wire and time ran out.

When both Planning Organizations joined forces to become more visible legislative advocates for zoning reform on Beacon Hill, we realized that there was no real "planner's voice" in the process. Thanks to the support of our coalition and outstanding coaching from our legislative strategist, Savannah Kelleher from Tremont Strategies Group, planners got a seat at the table, and a voice—a REAL voice—in the process. Let's count this as a win for our profession and our legislative priorities.

Despite the disappointing end of this legislative session, we are not done! With a considerable break before the next session, the Planning Organizations will use this time to assess, regroup, strategize, and devise a plan forward. We will continue to achieve sensible and comprehensive reform of statewide planning, land use, and zoning laws that provide tools to make great communities. Those tools will allow us to tackle challenging issues, such as housing affordability, which is a priority throughout Massachusetts. The Planning Organizations look forward to working with all stakeholders in preparation for the next session in January 2019. If you would like to help us craft a plan forward to achieve zoning reform, please contact Steve Sadwick, AICP at ssadwick@tewksbury-ma.gov.

It has been an honor to represent APA-MA over the past year, and we look forward to tackling the issue once again with a renewed strategy and energy. As always, feel free to reach out to us should you have any questions, ideas to share, or want to get more involved.

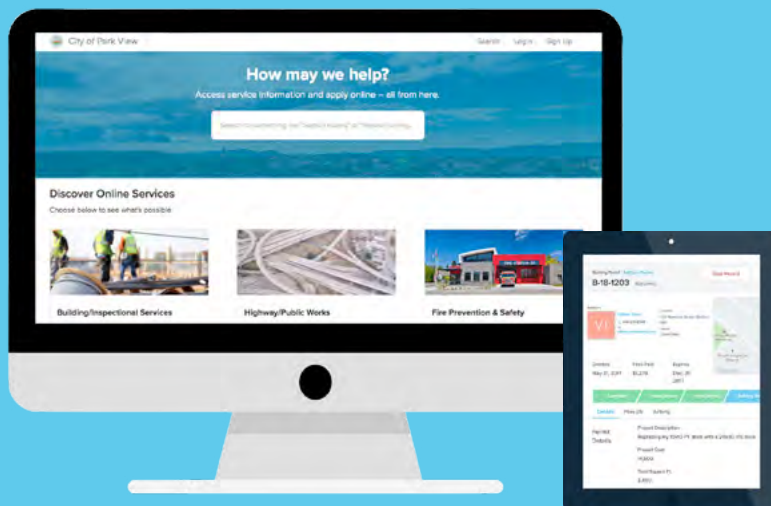
Enjoy the rest of the summer!

Sincerely,

— Angela J. Cleveland, AICP, APA-MA President, and
Steve Sadwick, AICP, APA-MA Legislative Policy Officer

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Revised APA-MA Chapter Bylaws on the Agenda for Fall Annual Meeting

— Chapter Annual Meeting to be Held
at the SNEAPA Conference
Hartford, Connecticut October 18-19, 2018 —

APA-MA Chapter Bylaws Subcommittee:
Alison Leflore, AICP, Bob Mitchell, FAICP, Laura Wiener, AICP

At last year's Annual Meeting, the members approved a small number of amendments to the Chapter Bylaws that make it easier to do business, such as allowing electronic communications and voting. In addition, the Mission Statement was revised and abbreviated, and the election process was changed to meet APA National's requirements. This year the Bylaws Subcommittee of the Board did a thorough review and revision of the bylaws that bring them into conformity with our current business practices as well as our aspirations. This is the first major revision to the bylaws in 20 years. The bylaws have also been reorganized to make them easier to use. At the 2018 APA-MA Annual Meeting in Hartford, members will review, discuss, and vote on the revisions.

The notable changes can be found in the following sections:

■ **Article IV. Board of Directors.** Proposed changes are related to which board positions have a vote at Board meetings. The following positions are currently non-voting and are proposed to become voting positions: Standing Committee Chairs, State Department of Housing and Community Development Liaison, and Massachusetts Association of Consulting Planners Liaison. Currently there is a position on the APA-MA Board for a "Planning Official," as in a Planning Board member. This is proposed to be removed from the list of voting board positions as this position is rarely filled.

Additionally, the Board of Directors will now approve job descriptions, staff appointments, and contracts for APA-MA, formalizing the process currently used.

■ **Article VI. Affiliated Organizations.** This Article is proposed to be removed from the bylaws. This is a confusing set of requirements for working with allied organizations, and has not been used. We can continue to work with related organizations without this language.

■ **Article VIII. Changes to Quorum.** Proposed changes would eliminate a quorum requirement at meetings of the membership. The full membership

of the Chapter is over 1,200 people. The current quorum requirement is 10%, or 120 members, with a clause that elections and amending the bylaws do not require a quorum. At the last Chapter meeting in 2017, we had 45 members present. While this is a good turnout, it is less than half of what is required to vote at Chapter meetings. It is the sense of the board that the membership should be able to take action with those who are present.

■ **Regional Map Boundaries.** The proposed bylaws revision includes some changes to the boundaries of the Chapter's regions. The APA-MA Board of Directors includes six Regional Representatives who are elected to represent different parts of the Commonwealth. Based

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**Registration for SNEAPA 2018 is open!
Join us in Hartford on October 18-19!**

The [Southern New England APA conference](#) is a two-day event hosted by the CT, RI, and MA chapters of the American Planning Association. The conference draws nearly 700 participants and features two days of interactive training sessions, mobile workshops, planning law and ethics presentations, member networking, an extensive exhibitor floor, plus a few surprises. For AICP members, this is a valuable experience to gain those much-needed credits for Certification Maintenance. For product and service suppliers, it's a valuable space to make contact with (and an impression on) the region's planning professionals. Learn more about [sponsorship opportunities](#).

The APA-MA Awards – Call for Nominations!

It is time again to recognize and celebrate recent planning success stories and those who make a difference in the planning profession. The American Planning Association – Massachusetts Chapter (APA-MA) is pleased to announce its 2018 APA-MA Awards Program. The APA-MA awards program is co-sponsored by the Massachusetts Association of Planning Directors (MAPD). Each year APA-MA and MAPD acknowledge planners and their work through its awards program. The program is designed to recognize an outstanding planning project, special person, or organization for a significant contribution to the field of planning. This year nominations are being solicited for the following awards:

OUTSTANDING PLANNING AWARDS

Comprehensive Planning Award
Planning Project Award
Transportation & Mobility Planning Award
Sustainability & Resiliency Award
Social Advocacy Award
Student Project Award
Journalism & Communications Award

DISTINGUISHED LEADERSHIP/SERVICE AWARDS

Community of the Year
Professional Planner Award
Faye Siegfriedt Award
Elected Official of the Year
Citizen Planner Award
Distinguished Service Award
Emerging/Rising Planner Award

The APA-MA awards program is open to any individual or planning project in the Commonwealth. Except for the Professional Planner Award, membership in APA and/or the Massachusetts Chapter is not required. New in 2018 are awards for “Community of the Year”

(recognizing Commonwealth municipalities for providing an outstanding contribution to planning), “Transportation & Mobility Planning” (recognizing transportation planning, corridor studies, transit planning, non-motorized plans, pedestrian plans, transportation demand management, and/or transportation capital planning), and “Sustainability & Resiliency” (recognizing plans, projects, or initiatives related to sustainability, resiliency, and/or climate change).

Nominations for the Elected Official of the Year Award are due by Sunday, September 30; nominations for all other awards are due by Sunday, October 28.

Further information, including the awards categories and criteria, eligibility requirements, submission instructions, and a link to the nomination form, is available on the Chapter website’s [Awards page](#).

Awards will be presented at the **APA-MA/MAPD Holiday Luncheon Friday, December 14, 2018** at Tufts University in Medford – **save the date!**

For any questions regarding the awards program, please contact Brian Currie, Chapter Coordinator, at awards@apa-ma.org.

Revised Chapter Bylaws *cont’d*

on discussion with members and Board members, the following changes are recommended:

- Nahant, Lynn, Saugus, Melrose, Malden, Medford, Arlington, Waltham, Weston, Wellesley, and Needham will be moved from the Northeast Region to the Boston Metro Region
- Braintree will be moved from the Southeast Region to the Boston Metro Region
- Sherborn, Ashland, Natick, Framingham, Wayland, and Sudbury will be moved from the Northeast Region to the Central Region

The Board believes these changes are more logical boundaries between regions and will better reflect the similarities between neighboring communities. These changes will take effect at the next election and will not change our current Board of Directors.

■ **More Information.** To prepare for the bylaws discussion at the 2018 Annual Meeting, the proposed

new bylaws can be reviewed at www.apa-ma.org/apa-ma-chapter-bylaws-august-2018-2, the current bylaws at www.apa-ma.org/wp-content/uploads/2017/11/APA-MA-Chapter-Bylaws-adopted-10-27-17.pdf, and a redlined version of the current bylaws showing proposed changes at www.apa-ma.org/apa-bylaws-compare-august-2018. The current (www.apa-ma.org/apa-ma_documents/Misc/APA-MA-Regions2.pdf) and proposed (www.apa-ma.org/apa-ma-regions-revised-annotated-2) Regions maps are also posted on the Chapter’s website. Please note, the dark outlines on the proposed Regions map show the current boundaries of each region.

The Chapter Annual Meeting will be held at a Friday morning breakfast meeting, at the SNEAPA conference, on October 19th in Hartford. The board encourages members to review these changes and share your views. Send questions or comments to communications@apa-ma.org.

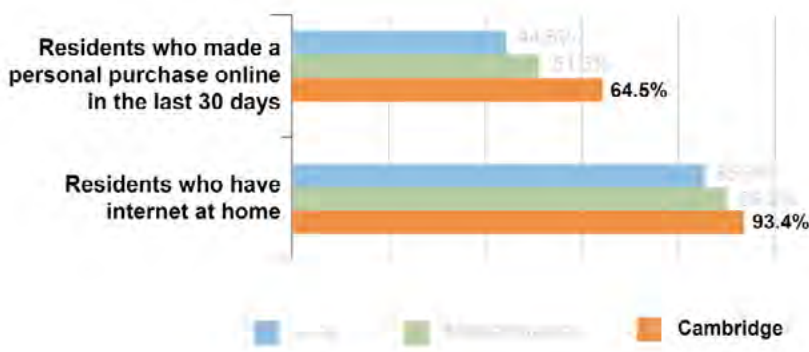
Supporting Local Business Through Changing Economic Trends: Lessons Learned from Cambridge's Retail Strategic Plan

by Lisa Hemmerle, Director of Economic Development, City of Cambridge and Pardis Saffari, Senior Economic Development Specialist, City of Cambridge

Today's economic trends can seem paradoxical: we are in the midst of economic recovery, yet "going out of business" and "for lease" signs are familiar sights in local strip malls and active downtown corridors; we are experiencing a period of strong economic growth, low unemployment, and increased wages, yet many major retailers and commercial centers are faltering. Rapid shifts in consumer spending habits, including the rise of online shopping, pose continual challenges for remaining retailers to remain in business.

These nationwide shifts are tangible in Cambridge, where the city's eleven unique commercial districts are struggling to adapt to changing consumer habits. The challenge that online shopping poses for brick and mortar retail is particularly acute in Cambridge, where a large portion of the city's 105,162 population is young, educated, and tech-savvy – a demographic that often looks to the ease and convenience of online shopping first when they need to make a purchase. In Cambridge, 64% of residents made a personal purchase online in the last 30 days, compared to 44% nationally. Additionally, Cambridge's eleven unique commercial districts are impacted by the rise of consumer interest in experience-based purchasing. While spending on traditional products such as electronics and clothes has declined (3.2% and 1% respectively)¹, experience-related purchases like travel, sports, events, and shows, were the top spending category for consumers during the 2016 holiday season.² Similarly, experiential retail and food

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Supporting Local Business *cont'd*

and beverage establishments continues to grow as people look for social connections outside of home.

In 2017, the City of Cambridge engaged a consultant to develop a Retail Strategic Plan to better understand Cambridge's current retail landscape and further identify its economic macro trends. Following many months of retail analysis and engagement with consumers, business owners, City staff, and elected officials, the Retail Strategic Plan culminated in an action plan with seven thematic guiding principles:

Guiding Principles at-a-glance³

1. **Drive experience** by ensuring that districts and businesses offer unique activities and events.
2. **Thrive online** by enabling businesses to grow online sales and enhanced social media presence.
3. **Help small business remain competitive** through targeted technical assistance and financing support.
4. **Improve access** to ensure convenience/visibility to customers (*especially during road construction*)
5. **Build capacity of local business associations** to enhance marketing and promotion of districts.
6. **Fill gaps in the retail environment** to ensure continuity of active ground floor activity.
7. **Address regulatory barriers** that prevent retail flexibility and undermine small businesses.

Each guiding principle included actionable recommendations that City staff began implementing in 2017-2018. The Retail Strategic Plan has provided the City with a great blueprint for programs and policies to pursue to support and promote Cambridge's commercial districts as retail continues to change. Though Cambridge represents a dense urban retail landscape, several of the Plan's recommendations are relevant to other communities. Below are three highlights that communities of any size can implement to strengthen their retail environment:

Best Practice #1 — Expand Support of Businesses and Public Spaces

In Cambridge, City-sponsored small business programs include: educational workshops, one-on-one staff assistance, and grants for storefront improvement, equipment, and marketing. To increase awareness of these programs, economic development staff now host regular "Small Business Open Houses" in each commercial district. These networking events help connect business owners with grant applications and other City resources

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Supporting Local Business *cont'd*

specific assistance. Additionally, staff allocated funds for interpreter and translation services, enabling them to reach a more diverse group of entrepreneurs.

The City also broadened their small business program offerings through the launch of the Cambridge Food Truck Pilot, which focused lowering the barrier for women- and minority-owned food businesses that wished to access new markets.

In the coming year, the City will continue to expand upon this best practice through the following initiatives: implement a construction mitigation pilot to support local businesses during construction projects, update the City's land use table for new use types to assist new businesses in opening, mitigate the impact of vacant storefronts by engaging local artists.

Best Practice #2 — Educate Small Business Owners

Cambridge offers a variety business workshops year-round to help Cambridge business owners thrive online and remain competitive in an ever-changing retail market. To capitalize on this mission, the City partnered with

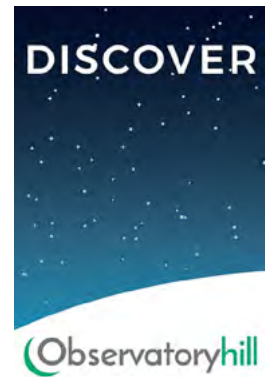
Successful Community Engagement

To ensure our efforts were successful and City staff had appropriate support from City Council and the community, city staff and the consultant team led a comprehensive outreach effort over six months that included:

- A webpage was created to keep the community updated
- Individual focus groups, for residents and for business associations to provide feedback on the state of retail in the city and how the city should help
- One-on-one interviews with property owners, business owners, and leaders of neighborhood and business associations
- A survey to business association leaders about their budget and staff capacity
- A survey to business owners about their current sales, future growth plans, and building ownership
- Three public meetings, led by City Council – to share all the research regularly, give all audiences a chance to provide feedback on the findings, and the recommendations. More meetings are occurring in 2018 to continue to update City Council on implementation.
- Recommendations have also been included in the City's comprehensive master plan, further strengthening the plans acceptance.

Google to host a Small Business Summit in April 2017. The event educated over 100 business owners on e-commerce trends and new ways to market their business. At the commercial district level, economic development staff developed District Needs Assessments⁴, which identify applicable market data and opportunities for local neighborhood commercial revitalization.

Lastly, using Community Development Block Grant funding, the City provides one-on-one legal and marketing technical assistance to low-and low-moderate income business owners.



Best Practice #3 — Support District and Merchant Associations

The City regularly collaborates with local business associations and business district leaders and supports these organizations through technical assistance. Following insight from the Retail Strategic Plan, the City expanded its support to offer training to these associations, including workshops on new marketing tools, membership strategies, leadership skills. Additionally, the City is providing support to the Central Square

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Supporting Local Business *cont'd*

Business Association as they form a Business Improvement District.

The three best practices outlined above are just a few of the recommendations that the City of Cambridge received through the Retail Strategic Plan. Cambridge's economic development staff look forward to working with other City staff, business representatives, and consumers to continue implementing the Plan and ensuring that Cambridge's commercial districts remain foundational parts of Cambridge's thriving and vibrant community.

To learn more about Cambridge's Retail Strategic Plan, visit www.cambridgema.gov/CDD/Projects/EconDev/retailstrategicplan.

Footnotes

¹ 2016 U.S. Census Data.

² Holiday Consumer Pulse Poll 2016. Rubicon Project, <http://rubicon-project.com/insights-report/holiday-shopping-habits-2016/>.

³ Larisa Ortiz Associates, "Retail Strategy for the City of Cambridge Market Analysis and Recommendations Report," www.cambridgema.gov/CDD/Projects/EconDev/~media/85088B-C4B5DB40F3A5B86B813E554D85.ashx.

⁴ www.cambridgema.gov/~media/Files/CDD/EconDev/Districts/Central/CSquare_DistrictAssessment_2017.pdf?la=en.



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Oxford Master Plan: Breaking the Mold

by Brian Palaia, AICP and Glenn Chalder, AICP

Sometimes, you just have to “break the mold” and do something different. As one of the quotes attributed to Albert Einstein states, “The definition of insanity is doing the same thing over and over again and expecting a different result.” Let us explain.

One of the things community planners hate the most is the observation that plans may just “sit on a shelf” and not be a force for positive change in the community. Looking deeper, this can be a situation where the Master Plan might be an unfathomable document of jargon, lingo, or

One of the things community planners hate the most is the observation that plans may just “sit on a shelf” and not be a force for positive change in the community.

“techno-speak” or does not inspire decision makers (or residents) to pick up the document and bring it to life.

This was the case for many years in Oxford, Massachusetts (the Master Plan had not been comprehensively updated since 1976) and so no one really knew what a Master Plan was or how it could be a strategic guide for a wide variety of community issues.

We embarked on the process in 2015, established a Steering Committee made up of representatives of may boards and commissions, hired a consultant to help guide the process, and conducted a survey mailed to the approximately 6,000 households in the community. When over 3,500 households responded, we knew we were on to something. Interactive public meetings and Steering Committee working sessions followed.



Oxford Memorial Hall, with its recently restored clock tower and Civil War plaques.

As the Master Plan began to take shape, attention turned to the question of how the strategic directions would be presented in a user-friendly way and become an integral part of guiding the future direction of the community. It was hoped that it would not “sit on a shelf” and be forgotten and then be resurrected 40 years later. And this is where Oxford

decided to “break the mold” and try something new.

Massachusetts General Law (MGL Section 81D) requires that a Master Plan include nine elements — goals and policies, land use, housing, economic development, natural and cultural resources, open space and recreation, services and facilities, circulation, and implementation.

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After careful examination of the Law and other plans that used this organization, we realized that the organizational structure called for did not necessarily lend itself to accessibility that would facilitate community understanding both as we went through the process and for the final product. The General Law requires that the issues be considered and addressed but not that the Master Plan be organized that way.

To address this, we had to break the mold a bit and organize these elements into higher level categories that would lend themselves to facilitating discussions and under-

standing amongst ourselves and the public. The rationale was simple and organized into just 5 sections:

- 1) Introduction formed the common set of facts and trends the community had to face;
- 2) Conservation addressed what natural and cultural resources were important to protect;
- 3) Development addressed how we wanted to see the community grow;
- 4) Infrastructure addressed strategies for supporting the prior two sections.
- 5) Conclusion—setting the stage for an Implementation Committee that would prioritize and facilitate the goals in the Plan to happen over the short and long term.

The chart below shows on how the MGL elements were organized into the Oxford structure.

This approach grew out of the survey research, guidance from the Master Plan Update Committee, and experience in other communities. This would allow us to tell the story of what Oxford is, what is important, and what it wants to be in the future. The approach and organization was key to getting the Master Plan right for Oxford.

Doing what Oxford did may not necessarily be the right approach for your community but you should ask, as part of the Master plan process, what is the right way to organize the topics and issues important to your community.

Oxford decided to “break the mold” and do something different and it resulted in an understandable story to tell for the public and for those who implement the plan going forward. Don’t be afraid to “go rogue” when it helps achieve your community’s planning goals!

— Brian M. Palaia (brianpalaia@gmail.com) is the former Town Manager of Oxford. Glenn Chalder, AICP (g.chalder@planimetrics.net) is the principal of Planimetrics.

OXFORD MASTER PLAN – Effective September 1, 2017

Master Plan Organization

Massachusetts General Laws identify certain elements to be addressed in a Master Plan.

The following chart illustrates how the statutory elements are addressed in Oxford’s Master Plan. A solid circle (●) identifies the key chapter addressing this element while a gray circle (○) indicates another chapter that is relevant to this element.

		Elements Identified In Massachusetts General Laws							
		Goals and policies	Land use	Housing	Economic development	Natural / cultural resources	Open space / recreation	Services and facilities	Circulation
Introduction	Introduction								
	Conditions And Trends		○	○	○				
	Community Concerns And Goals	○	○	○	○	○	○	○	○
Conservation (things Oxford wants to preserve or protect)	Protect Natural Resources	○	○			●			○
	Preserve Open Space	○	○				●		○
	Enhance Community Character	○				●			○
Development (how Oxford wants to guide future growth or change)	Enhance Oxford Center	○	○	○	○				○
	Guide Business / Economic Development	○	○	○	●				○
	Guide Housing Development	○	○	●					○
	Promote Sustainability / Resiliency	○							○
Infrastructure (facilities and services Oxford wants or needs)	Address Community Facilities	○	○				●	●	○
	Improve Transportation Systems	○	○						●
	Improve Utility Infrastructure	○	○						○
Conclusion	Future Land Use Plan		●						
	Implementation								●
	Conclusion								

The achievements of planning are celebrated in October with National Community Planning Month. The annual observation kicks off with the announcement of APA's Great Places in America.

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Appeals Court Reinforces Limits on Authority to Enforce the Public Trust Doctrine

by Luke H. Legere, Esq. & McGregor & Legere, P.C.

Property owners lack legal authority to use private litigation for enforcement of public trust rights. Only the Commonwealth may enforce public trust rights in Commonwealth tidelands. That important principle was reinforced in the Massachusetts Appeals Court's July 10, 2018 decision in the case of *Commercial Wharf East Condominium Assoc. v. Boston Boat Basin, LLC*, 93 Mass. App. Ct. 523 (2018).

As we set sail, a brief description of the facts will provide context. Plaintiff is an association of owners of condominiums located at the landward end of Commercial Wharf in Boston. Defendant is the owner of an inn and marina at the seaward end of Commercial Wharf. Plaintiff filed a lawsuit to enforce property use restrictions benefiting it and burdening the Defendant (regulating parking and deliveries, prohibiting use of Defendant's facilities by commercial boats selling alcohol or allowing gambling, and limiting the number of "special events" to be hosted at the inn each year). In response, the Defendant argued that the restrictions are void because they unduly restrict the public's access and use of the Boston Harbor waterfront in violation of the public trust doctrine.

Readers may know that the public trust doctrine protects the public's rights to fish, fowl and navigate in tidelands, defined by state statute as "present and former submerged lands and tidal flats lying below the mean high water mark." G.L. c. 91, §1. This case involves "Commonwealth tidelands" (as opposed to "private tidelands"), which are defined as "tidelands held by the commonwealth in trust for the benefit of the public or held by another party by license or grant of the commonwealth subject to an express or implied condition subsequent that it be used for a public purpose." G.L. c. 91, §1.

In rejecting the Defendant's argument that the restrictions on use of its property violate the public trust doctrine, the Appeals Court made clear that litigation between private parties may not be used as a vessel to enforce public trust rights. Public trust rights may be enforced only

by the Commonwealth and entities to which the state Legislature has delegated that enforcement authority. The Legislature has delegated that authority to the Massachusetts Department of Environmental Protection (DEP) through the Chapter 91 licensing process, but not to the Defendant or the Land Court.

The Appeals Court relied on "the Supreme Judicial Court's consistent and strict enforcement of the express delegation requirement" to "reject the argument that the proper extent of public trust rights in a particular locus may be determined in private litigation such as the present case." Rather, the Court concluded that DEP had already weighed the conflict between private rights and public trust rights when it issued a Chapter 91 license to the Defendant's predecessor in interest. Critically, that license required the Defendant to "allow public access on foot to its pier, unless it is determined that [Defendant] 'does not have the legal right to provide such access.'"

Consequently, the Appeals Court ruled that DEP's "special role in this area" makes that agency responsible for "determin[ing] whether Boston Boat is currently using the locus in accordance with the license and, if not, how best to proceed in order to vindicate public rights."

A practical lesson for the planning community to take from this case is that a private party wishing to protect public trust rights in tidelands (whether challenging the issuance of, conditions imposed by, or compliance with a Chapter 91 license) must follow the appropriate channels at DEP rather than going straight to court.

At the time of this writing, the Appeals Court's decision has not been appealed to a higher court.

— Luke Legere is a Partner with McGregor & Legere, P.C. in Boston. He routinely represents clients in local, state and federal permitting matters, litigation, administrative enforcement proceedings, and adjudicatory hearings related to a broad range of environmental, land use, and real estate issues. Luke can be reached at llegere@mcgregorlaw.com.



The public trust doctrine protects the public's rights to fish, fowl and navigate in tidelands, defined by state statute as "present and former submerged lands and tidal flats lying below the mean high water mark."

The Plant Chicago: Sustainability and Economics

by Peter Lowitt, FAICP

The Plant, in the Back of the Yards neighborhood on the southwest side of Chicago, hosted the 14th Industrial Symbiosis Research Symposium, which I had the good fortune to attend last June. The property is owned by John Edel, who operates Bubbly Dynamics LLC and purchased the property in 2010. John had previously developed the Chicago Sustainable Manufacturing Center, taught computer graphics, and designed TV and movie sets.

The property was a former meat packing plant. In fact, the bathrooms on the second floor were once smokehouses for pork bellies and ham. The original intent of the building was to house 15 small food businesses, including a brewery, all of whom would benefit from co-locating within the building. Today they include a coffee roaster whose excess burlap bags find other uses with the buildings tenants. A white board at the entrance contains a list of excess materials and “haves” and “wants” space beside each of the companies’ names. The Plant Chicago

is a nonprofit educational entity located within the building to help facilitate exchanges and teach visitors about science, the importance of local food, the circular economy, and industrial ecology. An anaerobic digester is located adjacent to the building on its grounds and is planned to be connected to the building to help offset the use of fossil fuels on the site through the diversion of excess food from tenants and others in the area. With tilapia growing in a closed loop system, salad greens in the basement, and free range chickens in a coop, this is a very impressive property.

The Back of the Yards neighborhood is low income, with most families making \$30,000 or less per year (median household income). It is 18% Spanish-only speakers. We visited on a Saturday when they were holding a farmer’s market. They use the inside of the building to keep the farmer’s market in operation year round for local vendors and double the value of Link

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The Plant, a food-related eco industrial facility.

The Plant *cont'd*

Cards (Illinois version of food stamps) for eligible products purchased at the Plant. The project is anchored by a brewery, Whiner Beer, with a bakery, coffee roaster, and honey producer also part of the tenant mix.

The Plant is a nonprofit whose director Jonathan Pereira teaches numerous school-age visitors and others about the circular economy. He oversees scientific research in such areas as

using spent grains and coffee husks to create bio-briquettes for potential use in the bakery. The Plant works closely with the Illinois Institute of Technology, the University of Illinois Chicago and other academics to bring interns and entrepreneurs together to research inputs and outputs for economic and environmental impact.

Jonathan and Professor Wes Ashton arranged for a tour of the facility and a panel discussion. Panelists included Jonathan, John Edel (the owner), Brian Taylor (the brewer),

Jana Kinsman (Bike a Bee), and Chelsea Jackson (Pleasant House Bakery). Brian Taylor led off, discussing his background in brewing (Flying Dog, Sebel Institute brewing school, Boulevard and Goose Island breweries before starting Whiner Beer, a barrel aged Belgian style beer, at The Plant). Brian stated that as the anchor tenant he is striving for zero waste and has been helped by the owner. His spent grains are used for compost to create soil for the gardens on site and are being tested as a component for a briquette for potential use in the bakery. His big use is water, it takes 8-10 barrels of water to create one barrel of beer. His beer cans are known throughout the

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White Board changes daily with list of Haves and Needs.

region for their art work. The facility contains a tap room which was hopping on a Saturday afternoon when we visited it. "Locals are keeping us afloat," he stated. The work of the nonprofit has made The Plant a destination and visitors always seem to end up in the tap room. "It's a symbiotic relationship," he explained.

John Edel went through his history as an industrial designer, computer graphics video game designer, and movie and TV set designer before starting the Chicago Sustainable Manufacturing Center near Bubbly Creek. The building's tenants began to call the building "Bubbly" which gave rise to his corporate name "Bubbly Dynamics." Bubbly focuses on small maker spaces all of which are nonfood uses with a focus on collaborative space and working with waste stream recycling. John bought The Plant for \$525,000. He terms it a "slow money project," meaning that he finds believers in his concept, sets them up, and slowly builds out the project.

He began by assessing the building's assets. Not only would reuse of the building retain its embodied energy, but it had floor drains and was a food grade facility, having been an old

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Jonathan Pereira, Executive Director of The Plant.



Left to right: Basement hydroponic greens...Free range chickens are considered "pets" in a technical work-around to deal with city regulations...Tilapia fertilize the lettuce and are integrated into the system.

sausage factory. Initially he was thinking about creating an indoor vertical farm. Instead his thinking evolved around food uses including urban farming, brewery, and a living lab around his building's systems. John wanted to "take little bites out small businesses' costs, thus increasing their viability." The notion of community is vital to the whole enterprise. He firmly believes that "collaboration and sharing are the key to viability and a superior, local product."

One such believer and tenant is Jana Kinsman, a former graphic designer and current bee keeper and owner of Bike A Bee. Jana takes great pride in using her bike for all her transportation needs. She used a Kickstarter to fund her business, which collaborates with a honey coop in the area (all bikeable). She calls it "coopetition." She began her project with ten hives, two of which are located on the roof of The Plant. Today she has 14 on the roof of The Plant alone. She loves being part of the culture of The Plant.

Chelsea Jackson grew up in an agrarian environment. She always wanted to own her own restaurant and her husband was a chef. They set up an urban farm about a block away from their first restaurant in the suburbs of Chicago. They wanted to incorporate sustainability into everything they do and this led them to becoming the initial tenant for The Plant. They provided our lunch and I can say without reservation that their meat pies are to die for. The spent grains and coffee husk briquettes could eventually power their bakery ovens. They are excited that they can farm the space around The Plant and supply salad greens from their own plot on site.

Jonathan Pereira, executive director of The Plant Chicago brings his science education background to his job. His earlier career as an urban environmentalist comes into play as he tries to create a movement around the work being done at The Plant. "I believe in the power of space to inspire people and the community of people who populate it." He described it as messy work toward a common goal. "It's an aesthetic outside mainstream thinking."

I asked about the role of the City in assisting or obstructing the project to date. John Edel noted that mostly it's been neutral. He has undertaken deliberate actions to educate city officials, elected officials, and the building department about such things as aquaponics. While there were some zoning battles, they were mostly resolved by taking officials to Milwaukee Growing Power to see examples of urban



farming and aquaponics. The real driver has been "creating a lot of jobs." Eighty plus jobs and counting have been created at this point. And the location of the facility on the south side may play a role.

The panel was asked about why they set up both a for-profit (with a mission) and a non-profit in the same building. John Edel hopes his example will drive others to emulate his success. Yes, Bubbly is in the black and has remained so to date. Mr. Pereira spoke about the challenge of quantifying the value created by nonprofit. It serves as a connector between the businesses and the community with a focus on the social dynamic/component. Looking at the formal and informal drivers for the building and being the driving force keeps silos from forming around the individual businesses and makes them part of the whole building community. Chelsea spoke to the shared values as one means of easing the implementation of a composting program. She views the anaerobic digester as a potential means of lowering the power bill for the tenants as well. She noted that initially some of the tenants were slow to come around to a shared economy, collaborative approach of doing business. Over time this has changed for the positive. She views the nonprofit as a bridge to the community, which has an understandable fear of gentrification. The nonprofit helps ameliorate this fear and its educational component attracts business to the site. Jana chimed in that the nonprofit's business-to-business communications were also of great value in promoting her business and that she was glad to be a tenant there.

This mural is one way of integrating the Plant into the community.

— Peter Lowitt is Director of the Devens Enterprise Commission, and the editor of this magazine. Reach him at peterlowitt@devensec.com.

Swiss Public Transport: An Improbable Goal for the MBTA?

by Allan A. Hodges, FAICP



New Colorful tram in Basel.

Want to see how a great transit system works? Jump on a Swiss Air flight from Logan Airport in Boston (BOS) to Zurich (ZRH). In 7h15m you will be in ZRH, described as “dazzling” by one travel writer. It is! Board the sleek electric underground train, which whisks you from the remote to the main terminal, and be amused by the recorded sounds in the train of cows mooing, their bells clanging, yodelers singing, and alpenhorns blaring. Welcome to Switzerland!

Lots of smiles on the weary long-haul passengers.

Buy a train ticket to downtown Zurich at a kiosk or, if you have prebought a Swiss Travel Pass in the U.S. through RailEurope, go down to the airport train station and board any InterCity (IC) train to the main railway station in downtown Zurich. Yes IC. ZRH station is connected to the Swiss national railway system; it is not just a downtown shuttle. In 10 minutes you will arrive at the Zurich Hauptbahnhof (ZHB), one of

the busiest train stations in Europe... over 3,000 trains a day stop there.

Find tram stations at any exit and look at the posted route maps and tram route station lists. The trams arrive every 5-7 minutes. You will note that no fare is collected on the trams. The Zurichers pay for the use of trams as part of their taxes or prepay otherwise. If you don't have the Swiss Travel Pass, buy a ticket at the kiosk. If they check and you don't have a ticket, there is a heavy fine. However, the non pay as you go system is efficient and trams don't have to stop long. Your hotel will give you a Zurich transit pass allowing you to use the trams and buses. Immediately you will experience the ease of getting on and off the sparkling clean trams with windows you can actually see through.

On board just look up to the monitor screen displaying the route and subsequent stops and you can decide where to get off. This GPS display is so easy to understand that you don't have to be able to read or speak German.

The best feature of the Zurich or, for that matter, any Swiss city public transport system is the interconnectivity of the various modes. Because of frequent service on the modes, you don't need a schedule. Just go to a tram and most bus stops and see what the GPS sign tells you as to when the next tram or bus is expected. You won't wait long.

The other feature you will notice immediately, if you are used to the T in Boston, is how well maintained

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Zurich Tram Car all decked out in shrinkwrap.



Another colorful tram in Basel.

Swiss Public Transport *cont'd*

all the trams and buses are, even the old vehicles. While maintenance is important, to the Swiss, so is providing new equipment. Check out the websites of the public transport systems in any Swiss city, for example Bern and Basel, and you will see some astonishingly cool-looking trams. Lausanne has an all electric Metro system that is both underground and surface; the north-south line goes uphill underground at a steep climb because of the topography of the city. Lausanne is the smallest city in the world with a full scale metro system. And you don't need to speak or read French to use it easily.

Have a look at the transit system maps for any Swiss city and you will be amazed at the dense networks. These networks are for relatively



Inside Zurich Tram – note the GPS monitor at top.



Zurich Tram near the bahnhof.

small cities and metro areas. For example, Zurich city has a population of only 400,000 while the metro area is 1,300,000...the largest in Switzerland.

In Switzerland, it seems public transit is the mode of choice. Easy to see why.

Auf Wiedersehen.

– Allan Hodges, FAICP is an urban planner and environmental impact specialist who retired from Parsons Brinckerhoff (now WSP) in 2014. He and his wife, Carol, live in Boston and Newport, RI. They travel to Switzerland often because it is varied due to the different cultures, beautiful, well planned (!), and everything works. He can be reached at hodges2@comcast.net.





NEWS FROM MAPD

Dear Planning Friends and Colleagues:

A quick reminder as summer is drawing to a close... It's time to renew your MAPD membership for 2018-2019. You already know the benefits of membership including:

- **Discounted rate for the annual conference** (which is getting bigger each year!).
- **Monthly Lunch-N-Learn workshops.** We are starting this year's programming with esteemed land use attorney Mark Bobrowski!
- **Support group** of planners who work to promote our professional.
- **Extensive legislative advocacy** on important planning issues, and so much more!

New to MAPD? MAPD is a 150-member non-profit organization comprised of municipal planners, regional planners, private sector consulting planners and engineers, and other community development professionals. What are you waiting for? Join today! We look forward to having you all on a board for another terrific year!

— Kristina Johnson, AICP
MAPD President
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Mark London 1947-2018

Mark London, the long-time (but recently retired) Executive Director of the Martha's Vineyard Commission, passed away on August 18, 2018. Mark began his career as an architect, working on large-scale projects such as the redevelopment of the Halifax and Toronto waterfronts. He went on to become an activist with SAVE Montreal, and was executive director of Heritage Montreal before spending 15 years as an urban planner for the city of Montreal. He became a year-round resident of Martha's Vineyard in 2002, becoming the executive director of the Martha's Vineyard Commission, the regional planning agency for Vineyard and surrounding Elizabeth Islands. Mark devoted his expertise to the protection and enhancement of the islands' environment, economy, character, and social fabric. Read the [obituary](#).



The PDO Corner

by Darlene Wynne, AICP
APA-MA Professional
Development Officer

Welcome to the "PDO Corner" where I'll share information related to earning your AICP and meeting your Certification Maintenance requirements.

Wanted: Great Webinar Ideas!

Have you seen (or made) a great planning presentation recently? APA-MA is seeking ideas to submit to the 2018 Planning Webcast Series. Or, is there a topic you'd like to see a presentation on? Send your ideas to me! Presenters can participate from the comfort of your own desk. The webcasts take place on Fridays at 1:00 p.m. and are typically 90 minutes.

See the [Webcast Series](#) website for the schedule of webcasts to earn your free AICP CM Credits!

Save Money on the AICP Exam Fee!

APA-MA has one or two scholarships available for the AICP Exam Fee for eligible candidates taking the exam in November. Please contact me if you're eligible and interested in getting a break on the exam. Find information on the [APA-MA website](#).

Certify your earned AICP CM Credits

The grace period for the 2016-17 AICP CM reporting period closed on April 30, 2018. Remember to close out and certify your credits earned for the two-year reporting period in your CM Log on www.planning.org.

— Darlene Wynne, AICP is Assistant Planning Director for the City of Beverly. Reach her at dwynne@beverlyma.gov.

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NEWS FROM MACP

From the President of the Massachusetts Association of Consulting Planners

MACP is among the group of organizations that supports the Massachusetts Smart Growth Alliance's Great Neighborhoods campaign. This initiative seeks state-wide zoning and housing reform in order to expand housing opportunities and create healthy neighborhoods. In addition to this effort, the Baker-Polito Administration launched its Housing Choice Initiative last December. Despite these two worthy efforts, no action was taken at the end of the legislative session on Beacon Hill to address zoning and housing reform.

In a climate of stagnant local zoning laws, cities and towns in Massachusetts will continue to rely on unpredictable and complicated tools to create multi-family housing across the Commonwealth, particularly with regard to affordable housing. However, we would like to highlight the story of one town that overcame barriers to create affordable housing.

The Town of Westport, through local legislation, state programs, and good planning, succeeded in creating 50 rental affordable housing units on a property known as "Noquochoke Village." The Town of Westport accomplished this feat through several separate efforts, as described below.

- **Community Preservation Act (CPA) funds.** Westport utilized CPA funds to acquire a property known as the Perry parcel in 2006 for the development of affordable housing. This parcel was combined with an abutting parcel, acquired via tax title in 2004, creating a continuous property containing about 30 acres of land, and was named "Noquochoke Village."

- **Zoning Overlay District creation.** After initial discussions with community members and working with consultants, the Westport Housing Partnership, along with others in the community ventured, and succeeded, to have a Zoning Overlay District approved through Town Meeting, which allows for a much higher density and diverse building typology not otherwise permitted by the base zoning, and an affordable housing component.

- **Affordable Housing Trust Fund.** The Town of Westport established the Westport Affordable Hous-

ing Trust Fund in 2009. Due to the enabling statute, the Trust was able to gain control of the Noquochoke property, from the Select Board, and in doing so, the obligations of the Purchase and Sale Agreement and Land Development Agreement were transferred to the Trust. This transaction furthered the Trust's involvement, and working with the selected developer, The Community Builders, helped to secure additional CPA funds for the project.

- **Professional support.** The Town and the Trust hired consultants throughout the process to assist with efforts. The Trust has worked with a housing specialist (yours truly) since the issuance of the RFP for the development of the Noquochoke Parcel. The Town and Trust have also worked with SRPEDD, and a private consultant (a member of MACP) to prepare Housing Production Plans and an Action Plan. Legal advice and representation from Town Counsel, as well as a private attorney hired by the Trust, has been crucial.

These are only a few of the key milestones reached through the development of Noquochoke Village, all of which required extensive community support and incredible efforts by all those involved. With the exception of the local housing authority units and a couple of senior housing apartment buildings, Noquochoke Village is the first affordable rental housing development in Westport available to families and individuals. Completion is expected before the end of this year, 13 years in the making. The number of applications for an apartment has already exceeded the total number of units available, proving that a need for this type of housing continues within our communities.

Planners and advocates will have to continue to make ends meet with the tools available in order to create affordable housing for all. We will continue supporting zoning reform efforts, however, we keep in mind Richard Sennett's *Building and Dwelling: Ethics for the City*, where he states: "Regret saps the energy people need to endure."

—Leonardi Aray, AIA, NCARB
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Learn more about MACP: www.macponline.org